

Appl. No.: 09/902,361
Amdt. Dated 09/29/2005
Reply to Office Action of July 1, 2005

REMARKS/ARGUMENTS

Applicants respectfully request consideration of the present application in view of the amendments above and the following remarks, which are responsive to the Office Action mailed July 1, 2005. Following such changes, Claims 2-5, 8, 10-12, and 15-36 remain pending in the application. Claims 1, 6, 7, 9, 13, and 14 have been cancelled.

In the Office Action, Claims 1-30 (renumbered) were noted as pending in the application. Previously numbered Claims 27-31 were objected to as being misnumbered, Claims 1-14 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter, Claims 1-9, 11-15, 18, 19-21, 25, 27, 28, and 30 were rejected under 35 U.S.C. §102(e), and Claims 10, 16, 17, 22-24, 26, and 29 were rejected under 35 U.S.C. §103(a). The rejections and objections are addressed separately below.

Objection to Previously Numbered Claims 27-31 under 37 C.F.R. § 1.126

On page 2 of the Office Action, Claims 27-31 were objected to under 37 C.F.R. § 1.126 because no Claim "26" was presented. Applicants have renumbered Claims 27-31 to Claims 26-30, respectively, and Applicants refer to the new numbers throughout this response.

Rejection of Claims 1-14 under 35 U.S.C. § 101

The Examiner rejected Claims 1-14 under 35 U.S.C. § 101 stating that the "claims fail to recite a specific and non-trivial application of 'technology' in the bodies of the claims." Claims 1, 6, 7, 9, 13, and 14 have been cancelled to further prosecution of the application, and Claims 2-5, 8, and 10-12 have been amended to depend from new independent Claims 31 and 34. Applicants submit that new independent Claims 31 and 34 are directed to patentable subject matter because the inventions recited therein are within the technological arts and the inventions as a whole produce "useful, concrete, and tangible results." For example, in Claims 31 and 34, the claimed methods result in the generation of a shipping label, which is generated in response to determining that the order fulfillment status indicates the product order has been partially or fully fulfilled.

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**Rejection of Claims 1-9, 11-15, 18, 19-21, 25, 27, 28, and 30
under 35 U.S.C. § 102(e) based on U.S. Patent No.
6,594,641 to Southam et al. ("the Southam patent")**

On page 7 of the Office Action, Claims 1-9, 11-15, 18, 19-21, 25, 27, 28, and 30 were rejected under 35 U.S.C. §102(e) as being anticipated by the Southam patent. Applicants have cancelled Claims 1, 6, 7, 9, 13, and 14, amended Claims 2-5, 8, and 11-12 to depend from new Claims 31 and 34, which define over the Southam patent, and amended Claims 15, 18, 19, 25, 27, 28, and 30 to define over the Southam patent.

More particularly, independent Claim 15 has been amended to specify that the shipping label is generated "in response to receiving the order processing status information." The system disclosed in the Southam patent includes a warehouse PC 40 that has the capability of generating a mailing label, but the system does not disclose generating the mailing label in response to receiving the order processing status information.

In addition, independent Claim 19 has been amended to specify that the shipping label is generated "in response to receiving the order status information." The system disclosed in the Southam patent includes a warehouse PC 40 that has the capability of generating a mailing label, but the system does not disclose generating the mailing label in response to receiving the order status information.

Furthermore, independent Claims 25 and 28 have been amended to specify that the shipping label is generated "in response to receiving the order fulfillment status information." The system disclosed in the Southam patent includes a warehouse PC 40 that has the capability of generating a mailing label, but the system does not disclose generating the mailing label in response to receiving the order fulfillment status information. Accordingly, Applicants respectfully request that the rejection of Claims 15, 19, 25, and 28 be withdrawn.

Claim 18 depends from Claim 15 and includes all of the limitations of Claim 15 plus additional limitations that are not disclosed in the prior art. Accordingly, for this reason and for the reasons stated above with respect to Claim 15, Claim 18 patentably distinguishes over the prior art. In addition, Claims 20-21 depend from Claim 19 and include all of the limitations of

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Claim 19 plus additional limitations that are not disclosed in the prior art. Accordingly, for this reason and for the reasons stated above with respect to Claim 19, Claims 20-21 patentably distinguish over the prior art. Claim 27 depends from Claim 25 and includes all of the limitations of Claim 25 plus additional limitations that are not disclosed in the prior art. Accordingly, for this reason and for the reasons stated above with respect to Claim 25, Claim 27 patentably distinguishes over the prior art. Furthermore, Claim 30 depends from Claim 28 and includes all of the limitations of Claim 28 plus additional limitations that are not disclosed in the prior art. Accordingly, for this reason and for the reasons stated above with respect to Claim 28, Claim 30 patentably distinguishes over the prior art.

Claims 2-5 have been amended to depend from new Claim 31 and Claims 8 and 11-12 have been amended to depend from Claim 34. Thus, Claims 2-5, 8, and 11-12 are addressed below with new Claims 31-36.

**Rejection of Claims 10, 16, 17, 22-24, 26, and 29 under 35 U.S.C. §103(a)
based on the Southam patent in view of U.S. Published Patent Application No.
2002/0032668 to Kohler et al. (“the Kohler application”)**

On page 8 of the Office Action, Claims 10, 16, 17, 22-24, 26, and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over the Southam patent in view of the Kohler application. Applicants have amended independent Claim 22 to define over the Southam patent and the Kohler application and dependent Claim 10 to depend from new Claim 34, which defines over the Southam patent and the Kohler application.

More particularly, Claim 22 has been amended to specify that the shipping label is “generated in response to providing the order fulfillment status information to the network application indicating that at least a portion of the product order has been partially or fully fulfilled.” The system disclosed in the Southam patent includes a warehouse PC 40 that has the capability of generating a mailing label, but the system does not disclose generating the mailing label in response to receiving the order fulfillment status information. In addition, the order fulfillment center disclosed in the Kohler application prepares a sender mailing label 500 and a recipient mailing label 600 upon receiving an order from the server system 110, but the Kohler

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application does not disclose generating the mailing label in response to receiving order fulfillment status information.

Claim 10 depends from Claim 34 and includes all of the limitations of Claim 34 plus additional limitations that are not disclosed in the prior art. Accordingly, for this reason and for the reasons stated below with respect to Claim 34, Claim 10 patentably distinguishes over the prior art. In addition, Claims 16 and 17 depend from Claim 15 and include all of the limitations of Claim 15 plus additional limitations that are not disclosed in the prior art. Accordingly, for this reason and for the reasons stated above with respect to Claim 15, Claims 16 and 17 patentably distinguish over the prior art. Claim 23 and 24 depends from Claim 22 and include all of the limitations of Claim 22 plus additional limitations that are not disclosed in the prior art. Accordingly, for this reason and for the reasons stated above with respect to Claim 22, Claim 23 and 24 patentably distinguish over the prior art. Claim 26 depends from Claim 25 and includes all of the limitations of Claim 25 plus additional limitations that are not disclosed in the prior art. Accordingly, for this reason and for the reasons stated above with respect to Claim 25, Claim 26 patentably distinguishes over the prior art. Furthermore, Claim 29 depends from Claim 28 and includes all of the limitations of Claim 28 plus additional limitations that are not disclosed in the prior art. Accordingly, for this reason and for the reasons stated above with respect to Claim 28, Claim 29 patentably distinguishes over the prior art.

New Claims 31-36

Applicants have also added new Claims 31-36. Applicants submit that new Claims 31-36 are also patentable over the prior art. For example, independent Claims 31 and 34 specify that a shipping label is generated "in response to determining that the order fulfillment status indicates the product order has been partially or fully fulfilled." The system disclosed in the Southam patent includes a warehouse PC 40 that has the capability of generating a mailing label, but the system does not disclose generating the mailing label in response to determining that the order fulfillment status indicates the product order has been partially or fully fulfilled. In addition, the order fulfillment center disclosed in the Kohler application prepares a sender mailing label 500 and a recipient mailing label 600 upon receiving an order from the server system 110, but the

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Kohler application does not disclose generating the mailing label in response to determining that the order fulfillment status indicates the product order has been partially or fully fulfilled.

Amended Claims 2-5 and new Claims 32 and 33 depend from Claim 31 and include all of the limitations of Claim 31 plus additional limitations that are not disclosed in the prior art. Accordingly, for this reason and for the reasons stated above with respect to Claim 31, Claims 2-5 and 31-33 patentably distinguish over the prior art. In addition, amended Claims 8 and 11-12 and new Claims 35 and 36 depend from Claim 34 and include all of the limitations of Claim 34 plus additional limitations that are not disclosed in the prior art. Accordingly, for this reason and for the reasons stated above with respect to Claim 34, Claims 8, 11-12, and 34-36 patentably distinguish over the prior art.

Conclusion

The foregoing is submitted as a full and complete response to the Office Action mailed July 1, 2005. The foregoing amendments to the claims, along with the addition of new claims, when taken in conjunction with the appended remarks, are believed to have placed the present application in condition for allowance, and such action is respectfully requested.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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